

Message Text

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PAGE 01 HAMBUR 00822 102107Z
ACTION EUR-12

INFO OCT-01 ISO-00 TRSE-00 CIAE-00 DODE-00 PM-05 H-01
INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15
ICA-11 /066 W
-----077333 111900Z /40

R 101305Z JUL 78
FM AMCONSUL HAMBURG
TO SECSTATE WASHDC 4830
INFO AMEMBASSY BONN
USMISSION USBERLIN
AMCONSUL BREMEN
AMCONSUL DUSSELDORF
AMCONSUL MUNICH
AMCONSUL STUTTGART
AMCONSUL FRANKFURT
AMEMBASSY OSLO

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EO 11652: N/A
TAGS: PINT, GW
SUBJECT: LUEBECK'S GAUL MAY BE FORCED TO RESIGN

SUMMARY. GERHARD GAUL (CDU), THE PRESIDENT OF THE LUEBECK CITY PARLIAMENT, IS UNDER SUDDEN AND HEAVY ATTACK FROM BOTH THE SPD AND THE FDP FOR DECISIONS HE MADE DURING WORLD WAR II AS A MEMBER OF A NAVY COURT MARTIAL. END SUMMARY.

1. THE SPD AND THE FDP IN LUEBECK ARE DEMAND GAUL'S RESIGNATION ON THE GROUNDS THAT HIS DECISIONS AS A NAVAL JUDGE DURING THE WAR BETRAY "SUCH A TOTAL COMMITMENT TO NAZIISM THAT IT IS UNTHINKABLE THAT HE SHOULD HOLD OFFICE IN A DEMOCRACY." THE CDU, INCLUDING SCHLESWIG-HOLSTEIN MINISTER PRESIDENT STOLTENBERG, EXPRESSED COMPLETE SUPPORT
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FOR GAUL.

2. SPECIFICALLY GAUL, WHO HAS ALSO SERVED AS MINISTER OF JUSTICE IN SCHLESWIG-HOLSTEIN, IS CHARGED WITH THE FOLLOWING "INEXCUSABLE" DEATH SENTENCES HANDED DOWN BY A THREE-MAN NAVAL COURT OF WHICH HE WAS THE SENIOR MEMBER: (1) ON APRIL 14, 1942, AT THE NAVAL BASE

IN WESERMUENDE THE COURT TRIED AND SENTENCED TO DEATH A
27-YEAR OLD GERMAN SAILOR FOR TWICE BEING AWOL AND
COMMITTING THEFTS AND FORGERIES. THE COURT DECISION,
WRITTEN BY GAUL HIMSELF, HELD THE SAILOR TO BE GUILTY
OF DESERTION AND NOTED THAT LONG IMPRISONMENT WOULD
BE WITHOUT PURPOSE BECAUSE THE SAILOR WAS OF "UNRELIABLE
CHARACTER." THE JUDGEMENT ALSO CONTAINS THE FOLLOWING
SENTENCE: "ASOCIAL ELEMENTS LIKE THE ACCUSED MUST BE
RUTHLESSLY ELIMINATED." (2) ON FEBRUARY 16, 1943,
A COURT SITTING IN NARVIK, NORWAY, SENTENCED TO DEATH
A 32-YEAR OLD NORWEGIAN CIVILIAN FOR SABOTAGE. THE
NORWEGIAN, ACCORDING TO THE COURT JUDGEMENT, ADMITTED
DEFUSING TWO BOMBS AND THEN RETRACTED HIS ADMISSION.
ON THIS DOCUMENT APPEARS IN GAUL'S HAND THE FOLLOWING
SENTENCE : "I RECOMMEND NO MERCY."

3. COMMENT: WHAT, IF ANYTHING, GAUL WILL IN FACT
DO, OTHER THAN TO JUSTIFY HIS ACTIONS AS BEING
ENTIRELY LEGAL AND JUST, IS NOT YET CLEAR BUT THE
GAUL AFFAIR, IN THE WAKE OF THE FILBINGER AFFAIR,
IS CERTAINLY DAMAGING TO THE CDU. THE FEDERAL
ARCHIVES FOR THE PERIOD OF THE SECOND WORLD WAR
WERE OPENED IN 1973, AND THE GAUL AFFAIR WILL
FURTHER STIMULATE THE APPETITE FOR THE CRIMES AND
SCANDALS OF THE PAST.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PROVINCE, PRESIDENT, PERSONNEL RESIGNATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978HAMBUR00822
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780284-0090
Format: TEL
From: HAMBURG
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780780/aaaacpno.tel
Line Count: 94
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f888e378-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 31 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2072573
Secure: OPEN
Status: NATIVE
Subject: LUEBECK'S GAUL MAY BE FORCED TO RESIGN SUMMARY. GERHARD GAUL (CDU), THE PRESIDENT OF THE LUEBECK CITY PARLIAMENT, IS UNDER SUDDEN AND HEAVY ATTACK
TAGS: PINT, GE, (GAUL, GERHARD)
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/f888e378-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014